

JENKINS
WILSON
& TAYLOR

patent attorneys



12-06-04

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28288

RICHARD E. JENKINS

December 3, 2004

JEFFREY L. WILSON

ARLES A. TAYLOR, JR.

GREGORY A. HUNT

E. ERIC MILLS

BENTLEY J. OLIVE

MICHAEL J. CROWLEY

*CHRIS PERKINS, PH.D.

**JAMES DALY IV, PH.D.

JEFFREY CHILDERS, PH.D.

OF COUNSEL
SOROJINI BISWAS

"Express Mail" mailing number EV 372405343 US
Date of Deposit December 3, 2004

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Angela V. Boyd

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: U.S. Patent Application Serial No. 10/736,283 for
MICRO-ELECTRO-MECHANICAL SYSTEM (MEMS)
VARIABLE CAPACITOR APPARATUSES, SYSTEMS AND
RELATED METHODS
Our Ref. No. 1488/12/2

Sir:

Please find enclosed in connection with the subject U.S. patent application the following documents:

1. An Amendment Transmittal Form (2 pages) in duplicate;
2. An Amendment A (43 pages);
3. A return-receipt postcard to be returned to us with the U.S. Patent and Trademark Office filing stamp thereon; and
4. A Certificate of Express Mail No.: EV 372405343 US.

Commissioner for Patents
December 3, 2004
Page 2

The Commissioner is hereby authorized to charge any fees associated with the filing of this correspondence to Deposit Account Number 50-0426.

Respectfully submitted,

JENKINS, WILSON & TAYLOR, P.A.

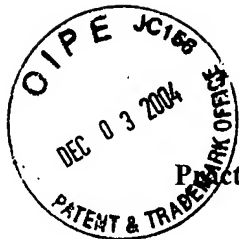
A handwritten signature in black ink, appearing to read "J.L. Wilson", written in a cursive style.

Jeffrey L. Wilson
Registration No. 36,058

1488/12/2 JLW/alb

Enclosures

Customer No: 25297



Patitioner's Docket No. 1488/12/2

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Francois-Xavier Musalem, Arthur S. Morris III, John R. Gilbert, Siebe Bouwstra, and Randy J. Richards

Application No.: 10/736,283

Group No.: 2826

Filed: 12/15/2003

Examiner: Dickey, Thomas

For: MICRO-ELECTRO-MECHANICAL SYSTEM (MEMS) VARIABLE CAPACITOR APPARATUSES, SYSTEMS AND RELATED METHODS

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is a small entity. A statement was already filed.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is mandatory; Express Mail certification is optional.)

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■ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

□ with sufficient postage as first class mail.

37 C.F.R. § 1.10*

■ as "Express Mail Post Office to Addressee"

Mailing Label No. EV 372405343 US (mandatory)

TRANSMISSION

□ facsimile transmitted to the Patent and Trademark Office, (703) _____ - _____


Signature

Date: December 3, 2004

Angela L. Boyd

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

| | (Col. 1) | (Col. 2) | (Col. 3) | SMALL ENTITY | | | |
|---|---|---------------------------------------|------------------|--------------|---------------|--|--|
| | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST NO. PREVIOUSLY PAID FOR | PRESENT EXTRA | RATE | ADDIT. FEE | | |
| TOTAL | 134 | - 20 | = 114 | x \$ 9.00 | = \$ 1,026.00 | | |
| INDEP. | 10 | - 3 | = 7 | x \$ 44.00 | = \$ 308.00 | | |
| FIRST PRESENTATION OF MULTIPLE DEP. CLAIM | | | | + \$ 0.00 | = \$ 0.00 | | |
| TOTAL ADDIT. FEE | | | | | \$ 1,334.00 | | |

Total additional fee for claims required \$1,334.00

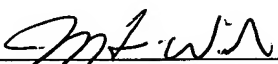
FEE PAYMENT

5. Authorization is hereby made to charge the amount of \$1,334.00 to Deposit Account No. 50-0426.

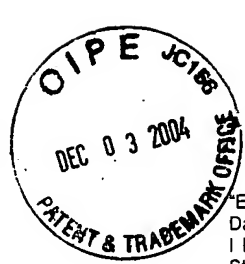
A duplicate of this paper is attached.

Date: 12/3/04

Reg. No.: 36,058
Tel. No.: 919-493-8000
Customer No.: 25297



Signature of Practitioner
Jeffrey L. Wilson
Jenkins, Wilson & Taylor, P.A.
University Tower, Suite 1400
3100 Tower Boulevard
Durham, NC 27707



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Angela L. Boyd
Angela L. Boyd

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Musalem et al.

Group Art Unit: 2826

Serial No.: 10/736,283

Examiner: Dickey, Thomas L.

Filed: December 15, 2003

Docket No.: 1488/12/2

Confirmation No.: 4294

For: MICRO-ELECTRO-MECHANICAL SYSTEM (MEMS) VARIABLE
CAPACITOR APPARATUSES, SYSTEMS AND RELATED METHODS

AMENDMENT A

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is responsive to the Office Action dated September 16, 2004, for which a shortened statutory period for reply is December 16, 2004. Favorable consideration is respectfully requested in view of the following Amendments and Remarks.

12/07/2004 SSITHIB1 00000142 500426 10736283

01 FC:2201 308.00 DA
02 FC:2202 1026.00 DA